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Att'y. Dkt. No. 040405-0335

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Makoto SUZUKI

Title: LABEL REQUEST PACKET TRANSMISSION METHOD,
PACKET TRANSFER NETWORK AND METHOD
THEREOF, AND PACKET TRANSFER DEVICE

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Technology Center 2600

Appl. No.: 09/812,843

Filing Date: 03/21/2001

Examiner: Unknown

Art Unit: 2661

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits. It is also being submitted within three months of a communication from a foreign patent office in a counterpart foreign application.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. 1.97(e)(1) that the item listed on the Form PTO SB/08 submitted with this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language document is described in the present specification listed document was cited by the Japanese Patent Office (JPO) in connection with a counterpart application. In reference to the cited reference, the JPO stated as follows:

“Note

- Claims 1 through 20
- Publications
- 1. Nobuhiro Senba et al. “Evaluation of label distribution protocols for label switching,” Information Processing Society Research Report 97–DSM–8–5 (Distributed System Operation Technology 8–5 (21 November 1997))

Remarks

{Claims 1–20}: Cited Literature 1

Cited Literature 1 describes a label distribution method for MPLS whereby an ingress LSR (corresponding to the specific representative packet forwarding device of the present application) transmits a TRIGGER message,

i.e. a message which causes issuance of a REQUEST message, to a specific LSR (corresponding to the other multiple representative packet forwarding devices of the present application), and said specific LSR, upon receiving the aforementioned TRIGGER message, transmits a REQUEST message to a downstream node to request assignment of a label, and upon being notified of the assigned label by receiving a BIND message from the downstream node, transmits a CONNECTED message to the aforementioned ingress LSR to notify it of the fact that label assignment has been completed (cf. "3.5 Path selection"). Moreover, having the ingress LSR transmit TRIGGER messages upon receiving path selection requests (corresponding to the original label request of the present application) from a terminal does not go beyond an arrangement which would be conventionally adopted by a person skilled in the art.

Therefore, the inventions as per Claims 1 through 20 of the present application could have been easily conceived of by a person skilled in the art based on the language of Cited Literature 1."

An English language abstract of the cited reference is submitted. An English language translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

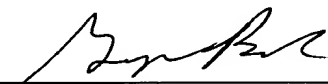
An English-language abstract for the cited reference is enclosed. A full English-language translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 11/28/23

By  RN 38072

FOLEY & LARDNER

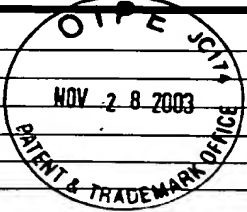
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Attorney for Applicant
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: November 28, 2003 <i>(use as many sheets as necessary)</i>			Complete if Known		
Application Number			09/812,843		
Filing Date			03/21/2001		
First Named Inventor			Makoto SUZUKI		
Group Art Unit			2661		
Examiner Name			Unknown		
Attorney Docket Number			040405-0335		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A1	"Estimation of a Label Distribution Protocol for Label Switching" Nobuhiro Senba, Kouji Nishimura and Reiji Aibara; Nov. 21, 1997; Vol. 91, No. 111, pages 25-31.	
	A2	English Abstract of "Estimation of a Label Distribution Protocol for Label Switching"	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.